

EXHIBIT R

From: Jason McDonell [mailto:jmcdonell@JonesDay.com]
Sent: Thursday, January 24, 2008 3:22 PM
To: Alinder, Zachary J.
Cc: Hann, Bree; Hockett, Chris; Howard, Geoff; House, Holly; jlfuchs@jonesday.com; Scott Cowan; Greg Lanier; Wallace, Elaine
Subject: Re: Meet and Confer Follow-up

Zac,

The following are responses to the 5 points in your attached email:

1. Oracle is in the best position to determine which of its employees have had communications with TN. Accordingly, we reject your proposal that we identify the appropriate custodians for the search.
2. My understanding is that these folders contain minimal data and the review should not take much time. Please produce them as soon as possible.
3. We have obtained all Titan source code and, subject to final confirmation, it is my understanding that it will be produced next week or early the week thereafter. Please let us know whether and when you will produce all of the versions of Change Assistant. Please note that definition 3 of TN's first request for documents defines "Customer Connection" to include "Change Assistant software" and Requests Nos. 52 and 118 require production of Change Assistant.
4. This confirms that we reject your proposal concerning the conditions under which Oracle will map the SSMs to the products.

5. I expect to have our response on this issue to you tomorrow.

Thanks.

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01/14/2008 08:27 AM

To jmcdonell@jonesday.com, "Scott Cowan"
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tlanier@jonesday.com, jlfuchs@jonesday.com
Subject Meet and Confer Follow-up

Jason and Scott,

As discussed at the end of the telephonic conference call last week, this email provides written responses and updates to certain issues that Oracle agreed to look into.

First, with respect to communications with TomorrowNow employees (document requests 25-27), as we discussed, it would be virtually impossible and certainly unduly burdensome for Oracle to search across its entire employee base for employees who might have had communications with TomorrowNow, even if limited to being in the course of Oracle's business. Accordingly, we propose that you identify which Oracle employees you believe would have had such communications based on your review of TomorrowNow's documents or other knowledge. Assuming the list is reasonable, Oracle will search those custodians for communications with TomorrowNow employees in the course of Oracle's business.

Second, as to the folders that Scott identified as downloaded from Customer Connection, we have those folders and will review those folders for production.

Third, as to production of Titan, we've asked for and we continue to expect to promptly receive all versions of Titan. Please let us know if you refuse to produce them. We are still investigating production of all of the versions of Change Assistant, and expect to be able to respond as to whether we will do so shortly. In the interim, we would appreciate it if you could identify which document request(s) you believe the Change Assistant versions are responsive to.

Fourth, related to mapping of Software and Support Materials, please let us know if you have decided not to agree to the proposal set forth in my January 4th letter to Jason, so that we can move forward with producing documents related to mapping the Software and Support Materials.

Fifth, we asked you to de-designate the SAS notes database in its entirety, or at the very least, to provide specific categories of documents (e.g. software code) that both sides can discuss and potentially agree to treat as Highly Confidential. Please let us know if you have any further response on that issue.

Best regards,
Zac Alinder

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